

PATENT COOPERATION TREATY
UNITED STATES RECEIVING OFFICE

Applicant: §
Larry Rushefsky et al. §
§
US Application No.: **09/936,634** §
§
International Application No: §
PCT/US00/07310 §
§
International Filing Date: §
17 March 2000 §
§
Earliest Priority Date: §
17 March 1999 §
§
Title: **Integrated Sensor Packaging and** §
Multi-Axis Sensor Assembly Packaging §
§

Attorney Docket: **IO-1013US**

**PETITION IN SUPPORT OF APPLICATION FILED
UNDER 37 C.F.R. § 1.47(a) AND FEES UNDER 37 C.F.R. § 1.17(h)**

This is a petition filed under 37 CFR §1.47(a) for acceptance of a Declaration and Power of Attorney filed by a joint inventor on behalf of a joint inventor who refuses to join in an application for patent or cannot be found or reached after diligent effort. In support of the petition, the following supporting facts are presented:

1. The named inventors of the above-identified application are as follows:

Larry Rushefsky	Lianzhong Yu
Axel Sigmar	Arjun Selvakumar
Howard D. Goldberg	Duli Yu
W. Marc Stalnaker	James L. Marsh
Ray Rinne	Peter Maxwell
Demetrios Balderes	David Morgan
Guido (Al) Lemke	Thomas Buie
Matthew Ip	Kees Faber
Lawrence P. Behn	Sjoerd Altman
Klaus Domagalski	Richard Laroo

2. The present application is a national stage application based on PCT Application No. **PCT/US00/07310**, which names Input/Output, Inc. as an Applicant.
3. A PCT application was prepared and filed on behalf of the inventors and I/O by Mr. Todd Mattingly of the firm Haynes & Boone, L.L.P.
4. At the request of I/O, the firm of Madan, Mossman & Sriram ("the Firm") was asked to prepare necessary national stage patent applications based upon the PCT application identified in paragraph 3 above.
5. The Firm prepared the above identified national stage patent application and filed the application based on the PCT application.
6. To protect the interests of I/O, the Firm filed the application for a United States Letters Patent on September 12, 2001. The application was assigned Ser. No. 09/936,634.

7. I, the undersigned attorney with the Firm, was assigned the task of filing and continuing prosecution of the above-identified national stage utility application including obtaining executed declarations from the inventors.
8. Upon receipt of a Notice of Missing Requirements from the Patent and Trademark Office, the Firm contacted I/O to obtain current addresses for each named inventor, because most had left the employ of I/O.
9. I sent the application to each inventor identified in paragraph 1 above and received executed declarations from all inventors except Mr. Axel Sigmar according to the schedule below. Copies of the signed documents are attached as EXHIBIT A.

<u>Inventor</u>	<u>Date of Declaration</u>
Larry Rushefsky	March 10, 2002
Howard D. Goldberg	November 26, 2001
W. MarcStalnaker	November 26, 2001
Ray Rinne	February 19, 2002
Demetrios Balderes	March 9, 2002
Guido Lemke	February 25, 2002
Matthew Ip	February 20, 2002
Lawrence P. Behn	January 24, 2002
Klaus Domagalski	December 9, 2001
Lianzhong Yu	February 21, 2002
Arjun Selvakumar	November 20, 2001
Duli Yu	November 27, 2001
James L. Marsh	November 29, 2001
Peter Maxwell	December 3, 2001
David Morgan	February 20, 2002
Thomas Buie	February 18, 2002
Kees Faber	November 19, 2001
Sjoerd Altman	November 19, 2001
Richard Laroo	November 23, 2001

10. The Firm made several attempts to locate Mr. Sigmar resulting in several contacts with Mr. Sigmar. The attempts and results are as follows:

On February 12, 2002 the application and Declaration were sent to Mr. Sigmar via certified mail, and the package was returned unopened. On February 26, 2002, the application and Declaration were sent to Mr. Sigmar via certified mail, and the package was returned unopened. On March 8, 2002, the application and Declaration were sent to Mr. Sigmar at a new address via certified mail. The documents were signed for on March 12, 2002. A copy of the each of the return cards are attached as Exhibit B. During the time frame of March 12 and April 9, 2002, the undersigned attempted to obtain Mr. Sigmar's signature through a telephone conference at which time a consulting fee was agreed upon. On April 9, 2002, the undersigned forwarded the necessary IRS form

W-9 via [redacted] transmission (Exhibit C) requesting the completed form so that the funds could be dispersed. No response was received.

11. Response to the Notice to File Missing Requirements was originally due on January 5, 2002, and extensions of time appear to be unavailable after June 5, 2002.
12. It is evident from the actions of Mr. Sigmar to date that further reasonable efforts to obtain his joinder in the application will most likely prove unsuccessful.
14. In order to protect the interests of I/O, Petitioner respectfully requests that the application be accepted on behalf of Mr. Sigmar by the signature of all other signing inventors identified in Paragraph 1 above.

A fee of \$ 130.00 is believed to be due for this petition. Applicants have also attached the necessary Petition for Extension of Time, up to including and June 5, 2002. A check to cover the \$130.00 petition fee and the \$1,960.00 five (5) month extension fee is enclosed. The Commissioner is authorized to charge any under payment or credit any overpayment associated with this communication to Deposit Account No. 13-0010 (IO-1013US).

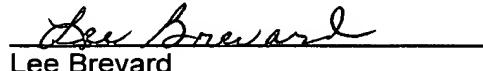
Respectfully submitted,

Date: June 4, 2002


Todd A. Bynum
Registration No. 39,488
MADAN, MOSSMAN & SRIRAM, P.C.
2603 Augusta, Suite 700
Houston, Texas 77057
Telephone: 713/266-1130
Facsimile: 713/266-8510

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the foregoing communication, and all documents referred to as enclosed or attached, are being deposited with the United States Postal Service on this 4th day of June, 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV141285543US addressed to the Assistant Commissioner of Patents Attn: Box PCT, Washington, D. C. 20231.


Lee Brevard

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below each of our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**INTEGRATED MULTI-AXIS SENSOR ASSEMBLY AND PACKAGING**," the specification of which was filed on September 12, 2001 as Serial No. 09/936,634.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose all information known to us which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY CLAIMED
PCT/US00/07310	PCT/US	March 17, 2000	YES <input checked="" type="checkbox"/> NO _____

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose information which is material to patentability as defined by Title 37, Code of Federal Regulations, Sec. 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

SERIAL NO.	FILING DATE	STATUS
60/125,076	March 17, 1999	Expired

We hereby appoint, Paul S. Madan (Reg. No. 33,011), Kaushik P. Sriram (Reg. No. 43,150), David L. Mossman (Reg. No. 29,570), Steven G. Morgan (Reg. No. 43,814), G. Michael Roebuck (Reg. No. 35,662), Todd A. Bynum, Reg. No. 39,488; W. Allen Marcontell, (Reg. No. 22,925), Gene L. Tyler (Reg. No. 35,395), William E. Schmidt (Reg. No. 47,064), and Chandran D. Kumar (Reg. No. 48,679), as attorneys with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

TODD A. BYNUM
Madan, Mossman & Sriram P.C.
2603 Augusta Drive, Suite 700
Houston, Texas 77057
Telephone: 713/266-1130
Facsimile: 713/266-8510

Direct all telephone calls to TODD A. BYNUM, at (713) 266-1130, Extension 113.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: LARRY RUSHEFSKY

Residence: 2927 Colony Dr.
Sugar Land, Tx 77479

Post Office Address: Same

Citizen Of: United States of America

March 10, 2002

Date


LARRY RUSHEFSKY

Inventor: AXEL SIGMAR

Residence: _____

Post Office Address: Same

Citizen Of: _____

Date AXEL SIGMAR

Inventor: HOWARD D. GOLDBERG

Residence: 3007 COLONY CROSSING DR.
SUGAR LAND, TX 77479

Post Office Address: Same

Citizen Of: USA

11/26/2001

Date

Howard D. Goldberg
HOWARD D. GOLDBERG

Inventor: W. MARC STALNAKER
Residence: 4771 Sweetwater Rd., PMB 163
Sugar Land, Texas 77479

Post Office Address: Same

Citizen Of: USA

11-26-01
Date


W. MARC STALNAKER

Inventor: RAY RINNE

Residence: 10436 TREGO TRAIL
RALEIGH NC 27614

Post Office Address: Same

Citizen Of: USA

Date 2/19/02


RAY RINNE

Inventor: DEMETRIOS BALDERES

Residence: 115 BALSAM SQ.
POUGHKEESE, N.Y. 12601

Post Office Address: Same

Citizen Of: U.S.A.

3/9/02
Date


DEMETRIOS BALDERES

Inventor: GUIDO LEMKE

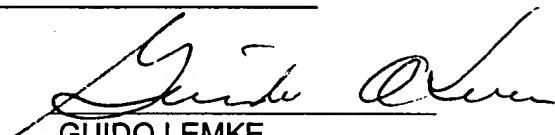
Residence: 207 E HOOK Rd
Hopewell Jct, NY 12533

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Citizen Of: US

2/25/02

Date


GUIDO LEMKE

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Citizen Of: U.S.

2/20/02
Date

MATTHEWIP

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Citizen Of: U.S.A.

1/24/02
Date

LAWRENCE P. BEHN
Lawrence P. Behn

Inventor: KLAUS DOMAGALSKI

Residence: 21118 Park Run Drive
Katy, Texas 77450

Post Office Address: Same

Citizen Of: USA

12-09-01
Date

Klaus Domagalski
KLAUS DOMAGALSKI

Inventor: LIANZHONG YU
Residence: 10112 225TH TERRACE NE
REDMOND, WA 98053

Post Office Address: Same

Citizen Of:

P. R. China

2/21/02
Date

Lianzhong Yu
LIANZHONG YU

Inventor: ARJUN SELVAKUMAR
Residence: 4436 Jim WEST ST.
BELLOIRE, TX 77401

Post Office Address: Same

Citizen Of: INDIA

11/20/01
Date


ARJUN SELVAKUMAR

Inventor: DULI YU
Residence: 826 Harbour Place
Sugar Land, Texas 77478

Post Office Address: Same

Citizen Of: U.S.A

Nov 27, 2001
Date

Du-l.Yu
DULI YU

Inventor: JAMES L. MARSH

Residence: 3305 Shimmering Dawn
San Antonio, TX 78253

Post Office Address: Same

Citizen Of: USA

Nov. 29, 2001
Date


JAMES L. MARSH

Inventor: PETER MAXWELL

Residence: 9502 STEEP BANK PASSAGE
MISSOURI CITY, TEXAS, 77459.

Post Office Address: Same

Citizen Of: U.K.

12/3/2001
Date


PETER MAXWELL

Inventor: DAVID MORGAN

Residence: 3808 Sycamore Lane
Parker, TX 75002

Post Office Address: Same

Citizen Of: UNITED STATES OF AMERICA

2/20/02
Date

David Morgan
DAVID MORGAN

Inventor: THOMAS BUIE

Residence: 1716 YORKSHIRE
RICHARDSON, TEXAS 75082

Post Office Address: Same

Citizen Of: UNITED STATES OF AMERICA

18 FEB 2002
Date


THOMAS BUIE

Inventor: KEES FABER

Residence: VOORHOUT
Bloemenschans 165
2215 MV Voorhour, The Netherlands

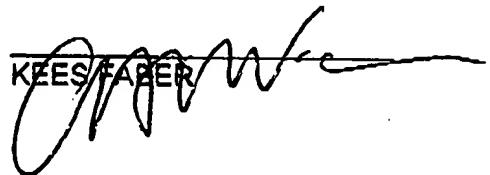
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Citizen Of: THE NETHERLANDS

19/11/01

Date

KEES FABER



Inventor: SJOERD ALTMAN

Residence: ZOETERMEER
Redelaan 47, 2725 GR
Zoetermeer, The Netherlands

Post Office Address: Same

Citizen Of: THE NETHERLANDS

19/11/01

Date



SJOERD ALTMAN

Inventor: RICHARD LAROO
Residence: Lisse
Medeldreef 129
2163 KD Lisse, The Netherlands

Post Office Address: Same

Citizen Of:

Date

23/11/01

RICHARD LAROO

the right of the return address

CERTIFIED

2 577 907 537

MAIL

SENDER:	
<input type="checkbox"/> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.	
3. Article Addressed to: <i>Axel M. Sigma 44 Glen Loch Ct. Sugar Land, TX 77479</i>	I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
4a. Article Number E 577 907 537	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
7. Date of Delivery	
5. Received By: (Print Name)	8. Addressee's Address (Only if requested and fee is paid)
6. Signature (Addressee or Agent)	

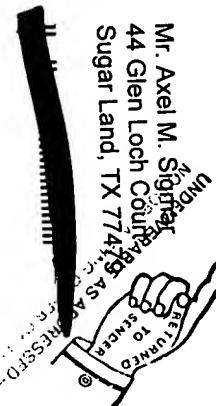
PS Form 3811, December 1994

102595-09-B-0223 Domestic Return Receipt

Please return using Return Receipt Service.

*Madan, Mossman & Sriram, P.C.
2603 Augusta, Suite 700
Houston, TX 77057-5640*

*Mr. Axel M. Sigma
44 Glen Loch Court
Sugar Land, TX 77479*



REFUSED

160
0932 07.10
0.00
6715 MAILED FROM HOUSTON, TX 77057

CERTIFIED MAIL

2000 0520 0023 5189 5029



Please check here if using Foreign Return Receipt:

SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to: AXEL M. SIGMAR <i>Sigmar</i> [REDACTED]		4a. Article Number 7000-0520-0023-5189-5029
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name)		7. Date of Delivery
6. Signature (Addressee or Agent)		8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-99-B-0223 Domestic Return Receipt

Is your BUSINESS ADDRESS completed on the reverse side?

Madan, Mossman & Srinam, P.C.
2603 Augusta, Suite 700
Houston, TX 77057-5640

Mr. Axel M. Sigmar
44 Glen Loch Court
Sugar Land, TX 77477-6200

© 1994 U.S. POSTAL SERVICE

U.S. POSTAL SERVICE
DOMESTIC MAIL
REGISTRATION

SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery
3. Article Addressed to: <p style="margin-left: 20px;">Axel M. Sigmor 21921 Mockingbird St. Leander, TX 78645</p>		4a. Article Number <p style="margin-left: 20px;">7600-0520-0023-5189-563</p>
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
		7. Date of Delivery <p style="margin-left: 20px;">3-12-02</p>
5. Received By: (Print Name) <p style="margin-left: 20px;">Cindy Garcia</p>		8. Addressee's Address (Only if requested and fee is paid)
6. Signature (Addressee or Agent) <p style="margin-left: 20px;"><i>Cindy Garcia</i></p>		

PS Form 3811, December 1994

102595-99-B-0223 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

MADAN, MOSSMAN & SRIRAM, P.C.
ATTORNEYS AT LAW

*Paul S. Madan
K. P. Sriram
David L. Mossman
G. Michael Roebuck
Todd A. Bynum
W. Allen Marcontell
Gene L. Tyler
William E. Schmidt
David A. Walker
Chandran D. Kumar
Sally J. Oliver, Of Counsel*

April 9, 2002

Mr. Axel Sigmar
Sigmar Engineering Services
21921 Mockingbird Street
Leander, TX 78645

via Fax: 512-267-9669

Dear Mr. Sigmar:

Attached is an IRS form W-9. In order for us to pay your consulting fee as we discussed in our recent telephone conversation, we must first have the form completed and returned to our office. You may fill out the form, sign it and send a copy by facsimile. I will then issue a check for your consulting fee based on the facsimile, and send you the check and documents for your signature. You may send the completed original W-9 along with the documents executed according to our agreement.

Thank you for your prompt attention to this matter.

Very truly yours,



Todd A. Bynum

/lee

Attachment: As Noted

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.	Name	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ <input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
	List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number
+ +

or

Employer identification number
+ +

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here Signature of U.S. person ▶

Date ▶

Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments after December 31, 2001 (29% after December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions on page 2 and the separate Instructions for the Requester of Form W-9.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name. If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form.

Sole proprietor. Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Exempt from backup withholding. If you are exempt, enter your name as described above, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. For more information on exempt payees, see the Instructions for the Requester of Form W-9.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

Note: If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Part I—Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box.

If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see How to get a TIN below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are an LLC that is disregarded as an entity separate from its owner (see **Limited liability company (LLC)** above), and are owned by an individual, enter your SSN (or "pre-LLC" EIN, if desired). If the owner of a disregarded LLC is a corporation, partnership, etc., enter the owner's EIN.

Note: See the chart on this page for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office. Get Form W-7,

Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at www.irs.gov.

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II—Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see **Exempt from backup withholding** above.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to give your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹ The minor ²
3. Custodian account of a minor (Uniform Gift to Minors Act)	The grantor-trustee ¹
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship	The owner ³
For this type of account:	Give name and EIN of:
6. Sole proprietorship	The owner ³ Legal entity ⁴
7. A valid trust, estate, or pension trust	The corporation The organization
8. Corporate	
9. Association, club, religious, charitable, educational, or other tax-exempt organization	
10. Partnership	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name, but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

⁴ List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

MADAN MOSSMAN & SRIRAM FAX:713-266-8510

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MADAN, MOSSMAN & SRIRAM, P.C.

ATTORNEYS AT LAW

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FACSIMILE NO: **512-267-9669**
FROM: **Todd A. Bynum**

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